

19900515

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
TUESDAY, MAY 15, 1990  
AT 9:00 A.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 10:11 a.m.  
Council Member Roberts welcomed a group of Naval Officers from the  
Anti-submarine Warfare School. Mayor O'Connor adjourned the meeting  
at 11:37 a.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-excused by R-275821  
(family illness)
- (5) Council Member Bernhardt-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-excused by R-275735  
(solid waste meeting in New York)
- (8) Council Member Filner-present  
Clerk-Abdelnour (eb)

FILE LOCATION: MINUTES

May-15-1990

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present

- (3) Council Member Hartley-present
- (4) Council Member Pratt-not present
- (5) Council Member Bernhardt-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-not present
- (8) Council Member Filner-present

ITEM-310: PRESENTATION MADE

Presentation to the Mayor and City Council from Marie Hitchcock regarding the Brother Dogs program.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A088-170.)  
PRESENTATION ACCEPTED BY MAYOR O'CONNOR.

May-15-1990

ITEM-311: WELCOMED

Welcoming approximately 20 International Military Officers from the Fleet Intelligence Training Center, who will attend this meeting accompanied by Lt. Gross-Homek. This group will arrive at approximately 10:30 a.m.  
(District-2.)

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B220-250.)  
DEPUTY MAYOR WOLFSHEIMER WELCOMED THE GROUP.

ITEM-330: (R-90-1508) ADOPTED AS RESOLUTION R-275712

Vacating 41st Street south of Polk Avenue and adjacent to Lots 31-48 of Block 41 and Lots 1-18 of Block 42 of City Heights Map-1007.  
(See City Manager Report CMR-90-161. Mid-City Community Area. District-3.)

FILE LOCATION: DEED F-5269 STRT J-2737 DEEDFY90-1

COUNCIL ACTION: (Tape location: A271-280.)  
Hearing began 10:31 a.m. and halted 10:32 a.m.  
MOTION BY HARTLEY TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea,

Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-331: (R-90- ) CONTINUED TO JULY 3, 1990, 10:00 A.M.

Appeal of George Tucker, from the decision of the Planning Commission in approving Conditional Use Permit CUP-89-0896, proposing a 696 square-foot addition to an existing Texaco service station. The subject property (a lot approximately 15,538 square-feet) is located at 7490 Beagle Street, in Zone CN, in the Clairemont Mesa Community Plan area, and is more particularly described as a portion of Lot 2 of Cambridge Center, Map-4264.

(CUP-89-0896. District-5.)

Adoption of a Resolution granting or denying the appeal and granting or denying the permit, with appropriate findings to support Council action.

FILE LOCATION: PERM - CUP-89-0896

COUNCIL ACTION: (Tape location: A068-088.)

MOTION BY BERNHARDT TO CONTINUE TO JULY 3, 1990, 10:00 A.M., REFER THE PLANNING DEPARTMENT REPORT BACK TO THE PLANNING DEPARTMENT AND PLANNING COMMISSION FOR CORRECTIONS, AND REFER MUNICIPAL CODE 101.0515 TO PSS FOR REVIEW FOR POSSIBLE EXPANSION OF THE ALCOHOL CODE TO THE CLAIREMONT MESA COMMUNITY PLAN AREA.

Second by Hartley. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

May-15-1990

ITEM-332: (R-90- ) CONTINUED TO MAY 29, 1990 2:00 P.M.

Appeal of Ronald B. and Constance J. Reagan, from the decision of the Board of Zoning Appeals in granting variance (Case C-20481), subject to conditions. Applicant requested the variance to maintain a 402 square foot first and second story addition to a nonconforming single-family dwelling resulting in a floor area ratio of 0.76 where 0.60 is the maximum permitted (dwelling observed a 0.63 floor area ratio prior to construction of this addition). The

subject property is located at 3562 Moultrie Avenue, in Zone R1-5000, in the Clairemont Mesa Community Plan area, and is further described as Lot 41, Block 4, American Park Addition, Map-983.

(Case C-20481. District-6.)

Adoption of a Resolution granting or denying the appeal and granting or denying the variance, with appropriate findings to support Council action.

FILE LOCATION:     ZONE Zoning Appeals Case C-20481

COUNCIL ACTION:    (Tape location: A025-040.)

MOTION BY HENDERSON TO CONTINUE TO MAY 29, 1990 2:00 P.M. FOR FURTHER REVIEW. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-333:

A proposal to apply the Hillside Review (HR) Overlay Zone to certain properties in Golden Hill, as shown on map (B-3932) on file in the Planning Department. The purpose of applying the Hillside Review Overlay Zone is to ensure that new development in slope areas complies with adopted City regulations.

The subject property to be placed within the Hillside Review Overlay Zone is generally located between Russ Boulevard and A Street, and between 21st and 24th Streets within the Golden Hill community.

(District-8.)

Subitem-A:    (R-90-1833)   ADOPTED AS RESOLUTION R-275713

Adoption of a Resolution certifying that Environmental Negative Declaration END-89-0346 has been reviewed and considered by the Council.

Subitem-B:    (O-90-155)   INTRODUCED, TO BE ADOPTED MAY 29, 1990

Introduction of an Ordinance for Zones GH-1500 (HR) and GH-2500 (HR).

FILE LOCATION:     Subitem-A ZONE ORD. NO., Subitem-B --

COUNCIL ACTION: (Tape location: B260-286.)

Hearing began 11:12 a.m. and halted 11:14 a.m.

MOTION BY FILNER TO ADOPT SUBITEM-A AND INTRODUCE THE ORDINANCE FOR SUBITEM-B. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-not present, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-334:

Consideration of a request for a Centre City Planned District Permit CCPD-89-1367 to develop a 101-unit condominium project located on a 35,000-square foot parcel with retail at ground level. Parking for 201 vehicles is

located underground. The subject property is located at 500 West Beech on the north side of Beech between India and Columbia and is described as Lot 4 and the south one-half of Lot 3 together with Lots 5, 6, 7, 8, 9, and 10, Block 26 of Middletown, in Zone CBD within the Centre City Community Plan area.

(CCPD-89-1367. District-8.)

Subitem-A: (R-90-1802) ADOPTED AS RESOLUTION R-275714

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-89-1367 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-90-1803) ADOPTED AS RESOLUTION R-275715

Adoption of a Resolution approving the Harborview Villas project.

FILE LOCATION: Subitems A and B PERM CCPD-89-1367

COUNCIL ACTION: (Tape location: B289-307.)

Hearing began 11:15 a.m. and halted 11:16 p.m.

MOTION BY ROBERTS TO APPROVE. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-not present, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-335:

(Continued from the meeting of May 1, 1990, Item 331, at Councilmember Bernhardt's request, (1) to make the findings required in Council Policy 600-15 that have not been made in the E & D report or in the Resolution and (2) to add a condition to the TM which would require LRT contribution.)

Matters relating to the Mini Max project:

1. Request to subdivide an 11.88-acre site into three parcels. The subject property is located at 3951 Murphy Canyon Road between Aero Drive and Balboa Avenue and is described as Lots 32, 33 and 42 of Rosedale Tract, Map-825, in Zone M-1-A within the Serra Mesa Community Plan area.
2. A proposal to vacate an excess portion of Murphy Canyon Road, as provided for under Section 66499.20-1/2 of the State Map Act, in conjunction with the proposed tentative map TM-89-1210.

(TM-89-1210. District-5.)

Subitem-A: (R-90- ) CONTINUED TO MAY 21, 1990, 2:00 P.M.

Adoption of a Resolution granting or denying the map, with appropriate findings to support Council action.

Subitem-B: (R-90-1506) RETURNED TO CITY MANAGER

Adoption of a Resolution authorizing the vacation of an excess portion of Murphy Canyon Road as provided for under Section 66499.20-1/2 of the State Map Act.

CITY MANAGER SUPPORTING INFORMATION: The proposed vacation has been initiated by the submission of the tentative parcel map for Mini Max (TM-89-1210). The tentative parcel map proposes subdivision of 11.88 acres, which includes the vacation area of approximately 17,000 square feet into three parcels for light industrial use. The subject street vacation and adjacent property are located within the Serra Mesa Community and are situated in a M-1A Zone. The proposed vacation and tentative parcel map are consistent with the General Plan and the Serra Mesa Community Plan. The Subdivision Board recommended approval of Tentative Parcel Map TM-89-1210 on December 12, 1989. The subject vacation is an unimproved excess right-of-way that was created when Murphy Canyon Road was realigned and angled to the southwest in 1987, and the remaining old alignment was "T"-ed into the new alignment. The area-of-vacation contains public utilities and franchise facilities. The necessary

easements for these facilities will be provided with the final map. Staff review has indicated that the excess right-of-way to be vacated is no longer required for present or prospective public use. It is recommended that the vacation be approved conditioned upon the recordation of the final parcel map for Mini Max (TM-89-1210).

FILE LOCATION: Subitem-A SUBD-Rosedale tract, Lots 32, 33,  
& 42, Subitem-B STRT - J-2738

COUNCIL ACTION: (Tape location: B308-C061.)

Hearing began 11:16 a.m. and halted 11:36 a.m.

Testimony in favor by Elmer Gomez.

MOTION BY BERNHARDT TO CONTINUE SUBITEM-A TO MAY 21, 1990, 2:00 P.M. FOR DEVELOPER TO REDESIGN THE MAP TO EXCLUDE THE STREET VACATION, AND RETURN THE ISSUE OF THE STREET VACATION TO THE CITY MANAGER TO PUT ON HOLD UNTIL THE METROPOLITAN TRANSIT DEVELOPMENT BOARD STUDY ON LIGHT RAIL ALIGNMENT HAS BEEN COMPLETED. Second by Hartley. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present,  
Bernhardt-yea, Henderson-not present, McCarty-not present,  
Filner-yea, Mayor O'Connor-yea.

ITEM-S500: (R-90-1830) ADOPTED AS RESOLUTION R-275716

(Continued from the meeting of May 8, 1990, Item S500, to  
be acted on after Closed Session.)

Approving the settlement agreement in the matter of Shapell  
v. City of San Diego and the Mesa Del Sol Development.

FILE LOCATION: SUBD - Mesa Del Sol CONTFY90-1

COUNCIL ACTION: (Tape location: A197-260.)

MOTION BY BERNHARDT TO ADOPT. Second by Mayor O'Connor. Passed  
by the following vote: Wolfsheimer-yea, Roberts-not present,  
Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea,  
McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-S501: (O-90-168 corr. copy) INTRODUCED AMENDED AND  
ADOPTED AS ORDINANCE O-17467  
(New Series)

(Continued from the meetings of April 24, 1990, Item 338,  
and May 8, 1990, Item 337; last continued at Walter

Barrett's request, due to lack of time.)

Introduction and adoption of an Emergency Interim Ordinance amending the Barrio Logan Planned District Ordinance. The proposed amendment would add a Subdistrict "E" to the existing Barrio Logan Planned District Ordinance.

Subdistrict "E" is to be placed on certain areas previously designated as Subdistricts "A", "B" and "D". The boundaries of Subdistrict "E" are shown on the map on file with the Planning Department.

The Planning Commission directed the preparation of this Emergency Interim Ordinance in order to accommodate the Barrio Logan Redevelopment Project. The Emergency Interim Ordinance would be in effect for a period of one year, or until permanent implementing ordinances for the Barrio Logan Redevelopment Plan are adopted and executed. (District-8.)

NOTE: 6 votes required.

FILE LOCATION: LAND - Barrio Logan Planned District

COUNCIL ACTION: (Tape location: A281-B258.)

Hearing began 10:33 a.m. and halted 11:09 a.m.

Testimony in favor by Jim Schneider.

Testimony in opposition by Walter Barrett, Robert Kahlken, John Cihad, Randy Ginglardy, Lou Ratajesak, Robert Zamarripa, and Luis Garci.

The hearing was closed.

Council Member Henderson left 10:50 a.m.

MOTION BY FILNER TO INTRODUCE THE ORDINANCE AS AMENDED WITH THE REVISIONS BEFORE THE COUNCIL, DISPENSE WITH THE READING AND

ADOPT. Second by Hartley. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-not present, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

ITEM-CC-1:

Mayor O'Connor announced that the City of San Diego had received a Challenge grant of \$2.5 million from the Federal



Government for opportunities for young people to help the City, RETC, and City schools with problems related to teenage pregnancy, gangs, drugs, and illiteracy in the Linda Vista, Mid-City and Southeast San Diego areas.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A077-090.)

PUBLIC COMMENT:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor O'Connor at 11:37 a.m.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C061).